

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

FILED
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CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____
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UNITED STATES OF AMERICA

-vs-

CAUSE NO. A-12-CR-234-SS

JOSE PARDO (3)

ORDER

BE IT REMEMBERED on this day, the Court reviewed the file in the above-styled cause, and specifically the defendant Jose Pardo's "Motion for Reconsideration and Appeal of the July 10, 2012 Order of Detention" [#201] filed on July 31, 2012 as document 256, and thereafter, the Court enters the following:

On July 24, 2012, the Court orally denied in open Court the appeal of the detention order of the United States Magistrate Judge relating to Jose Pardo. Mr. Pardo is and has been for many, many years a member of the Texas Syndicate. In fact, all of the defendants in this lawsuit are alleged to be members of the Texas Syndicate and are involved in the distribution of controlled substances. Mr. Pardo has a criminal record. There is no question he presents a flight risk. There is further no question that he has a history of violent behavior. This is in addition to the statutory presumption against release. Now counsel for Jose Pardo moves for reconsideration of the denial of the detention appeal because this case is not to be tried until February of 2013. However, the record will clearly reflect that the date of trial in February of 2013 was as a result of the motions for continuance and requests of the defendants themselves, including Jose Pardo and his counsel. This has nothing to do with the determination of whether Jose Pardo is to be detained subject to trial. The undersigned,

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and apparently the government prosecution, are or will be ready to try this case before February of 2013, but the defendants represent they are not. The undersigned believed this representation to be made in good faith and that was the reason that this case was reset for jury selection and trial of February 2013.

IT IS ORDERED that the detention order of the United States Magistrate Judge is AFFIRMED.

IT IS FURTHER ORDERED that the Motion for Reconsideration of the Appeal of the United States Magistrate Judge Regarding Detention is DENIED.

SIGNED this the 2nd day of August 2012.


UNITED STATES DISTRICT JUDGE